

AUSTIN KNUDSEN
Montana Attorney General
DAVID M.S. DEWHIRST
Solicitor General
CHRISTIAN B. CORRIGAN
Deputy Solicitor General
BRENT MEAD
Assistant Solicitor General
P.O. Box 201401
Helena, MT 59620-1401
Phone: (406) 444-2026
Fax: (406) 444-3549
david.dewhirst@mt.gov
christian.corrigan@mt.gov
brent.mead2@mt.gov

Attorneys for Defendants

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA,
MISSOULA DIVISION

MONTANA MEDICAL ASSOCIATION, ET. AL.,

Plaintiffs,

and

MONTANA NURSES ASSOCIATION,

Plaintiff-Intervenors,

v.

AUSTIN KNUDSEN, ET AL.,

Defendants.

No. CV-21-108-M-DWM

**DEFENDANTS' MOTION IN
LIMINE TO EXCLUDE
PORTIONS OF MONTANA
DEPARTMENT OF
JUSTICE'S, MONTANA
DEPARTMENT OF LABOR
AND INDUSTRY'S,
MONTANA HUMAN
RIGHTS BUREAU'S, AND
MONTANA DEPARTMENT
OF PUBLIC HEALTH AND
HUMAN SERVICES'
30(b)(6) TESTIMONY**

Defendants move the Court in limine to exclude improper legal contention testimony from Defendants' and third-party's Rule 30(b)(6) deponents. Such testimony is outside the scope of Rule 30(b)(6). This Court should prevent the use of such improper testimony by Plaintiffs and exclude the testimony of Montana Department of Justice, Montana Department of Labor and Industry, Montana Human Rights Bureau, and Montana Department of Public Health and Human Services referenced in paragraphs 9, 20, 45, 69, 70, 71, 78, 81, 82, 85, 86, 87, 92, and 93 of Plaintiffs' Statement of Undisputed Facts (Doc. 83).

This motion is supported by the accompanying brief and the Foundational Declaration of Brent Mead and that declaration's exhibits 7–10.

Counsel for Plaintiffs were contacted but provided no position on this motion for want of additional information. Defendants assume they will oppose. Plaintiff-Intervenor was likewise contacted and they oppose this motion.

DATED this 2nd day of September, 2022.

Austin Knudsen
Montana Attorney General

DAVID M.S. DEWHIRST
Solicitor General

/s/Brent Mead
BRENT MEAD
Assistant Solicitor General
CHRISTIAN CORRIGAN
Deputy Solicitor General
P.O. Box 201401
Helena, MT 59620-1401
christian.corrigan@mt.gov
brent.mead2@mt.gov

Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on this date, an accurate copy of the foregoing document was served electronically through the Court's CM/ECF system on registered counsel.

Dated: September 2, 2022

/s/ Brent Mead
BRENT MEAD